

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID JOHNSON,

Petitioner,

v.

Case No. 20-cv-11461
Hon. Matthew F. Leitman

JOHN CHRISTIANSEN,

Respondent.

/

**ORDER DENYING WITHOUT PREJUDICE PETITIONER'S
MOTION FOR REPRODUCTION OF TRANSCRIPTS AND
DISCOVERY/EVIDENTIARY HEARING (ECF No. 20)**

On June 7, 2022, the Court entered an order denying Petitioner David Johnson's Petition for a Writ of Habeas Corpus. (*See* Order, ECF No. 18.) In the same order, the Court denied a certificate of appealability. (*See id.*) But the Court did grant Johnson leave to appeal in forma pauperis. Also on June 7, 2022, the Court entered judgment against Johnson. (*See* Judgment, ECF No. 19.) Johnson has not filed a Notice of Appeal.

On December 29, 2022 – more than six months after the Court denied Johnson's petition for a writ of habeas corpus and entered judgment against him – Johnson filed a motion in which he asks the Court to provide him with certain transcripts and discovery and to grant him an evidentiary hearing. (*See* Mot., ECF No. 20.) Johnson says that he needs the requested materials for purposes of appeal.

(*See id.*, PageID.2104.) But, as noted above, Johnson has not filed any appeal. Moreover, Johnson has not shown how he may have any right to an evidentiary hearing or to discovery.

Under these circumstances, the Court is not yet persuaded that Johnson is entitled to any of the relief he seeks. Accordingly, Johnson's motion (ECF No. 20) is **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: March 21, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 21, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
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